CANCELLED

Cr. Ref. A.No. 2697

(2)

Single Bench (Criminal)

IN THE HIGH COURT OF JUDICATURE AT JABALPUR

CRIMINAL APPEAL NO. 1143 OF 1997

APPELLANTS: 1. Satanand S/o Bhagwan Nihora Tiwari,
aged about 30 years,
2. Ramanand S/o Bhagwan Nihora Tiwari,
aged about 22 years,
3. Munna @ Nand Kumar S/o Bediram Kurmi,
aged about 24 years,
4. Ramji S/o Bediram Kurmi,
aged about 27 years,
5. Pardeshi S/o Raghu Satnami,
aged about 50 years,
6. Gandhu @ Umedi S/o Mayaram Kurmi,
aged about 50 years,
7. Dukhidas S/o Mohan Satnami,
aged about 40 years,
8. Radhe S/o Chaturgan Kurmi,
aged about 40 years,
All Residents of village Dabari,
Police Station Kunda, Distt. Bilaspur (M.P.)

Died

5535 6 97

Sethi Advocate

A.S.G.A. Rlo. A.R. 26/9/97

VERSUS

RESPONDENT: State of Madhya Pradesh.

CRIMINAL APPEAL UNDER SECTION 374 (2) OF CODE OF CRIMINAL PROCEDURE, 1973.

(50)

XI-HC—78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक C.A 1143/97 **सन्** 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश

Later on (20-12-2004) :-

Shri R. Dayal Shrivastava, counsel for the appellants.

Shri Sudhir Agrawal, Panel Lawyer for the State.

Shri I.S. Sahu, counsel for the complainants.

Shri Shrivastava, learned counsel for the appellants submitted that between the parties the matter was compromised on the last date of hearing i.e. 19-10-2004 and the compromise has been effected upon the appellants No. 1 to 4 & 7 and the complainants. So far as appellant No.5 Pardeshi is concerned, the appeal relates to him stands abated since he is no more.

So far as appellants No. 6 Gandhu and 8 Radhe, who are present today before this Court, are concerned, it is submitted that the compromise has been effected upon these appellants also and they be permitted to compound the offence.

The prayer is not opposed by the other sides.

Appellants No. 6 and 8 are identified by their counsel.

Counsel undertakes to file the photographs of the appellants No. 6 and 8.

(21)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक Cr.A. 1143/97 **सन्** 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश
	Having considered the facts and circumstances of the case and in view of the judgment of Hon'ble Apex Court rendered in the case of ***Ramphal and Others Vs. State of M.P.*** reported in ***(2000) 9 SCC 61***, the appeal stands allowed. Accordingly, the order of conviction and sentence dated 24th May, 1997 passed in Sessions Trial No.115/92 in respect of appellants No. 6 and 8 is set aside and the appellants No. 6 and 8 are also acquitted of the charges levelled against them. Certified copy as per rules. Sd/- Fakhruddin Judge	
Gowri		

GL PRJ—FS/350—12/2000—50,000.

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